United Nations A/C.3/71/2

General Assembly

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12 October 2016
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Seventy-first session
Third Committee
Agenda item 107
International drug control

Letter dated 5 October 2016 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the decision of the Heads of State of the States members of the Commonwealth of Independent States (CIS) concerning the statement on the outcome of the special session of the United Nations General Assembly on the world drug problem (New York, 19-21 April 2016), signed on 16 September 2016 at Bishkek, at the summit meeting of CIS countries (see annex).

I should be grateful if you would have this letter and its annex circulated as a General Assembly document under agenda item 107.

(*Signed*) Mirgul **Moldoisaeva**
Permanent Representative of the Kyrgyz Republic to the United Nations

16-17695 (E) 141016 181016

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Annex to the letter dated 5 October 2016 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Secretary-General

Decision of the Council of Heads of State of the Commonwealth of Independent States concerning the statement by the Heads of State of the States members of the Commonwealth on the outcome of the special session of the United Nations General Assembly on the world drug problem (New York, 19-21 April 2016), signed on 16 September 2016 at Bishkek

The Council of Heads of State of the Commonwealth of Independent States,

Has decided:

1. To adopt the statement by the Heads of State of the States members of the Commonwealth of Independent States (CIS) on the outcome of the special session of the United Nations General Assembly on the world drug problem (New York, 19-21 April 2016) (see enclosure I);

2. To disseminate the text of this statement in the information media of the States members of CIS;

3. To instruct the Kyrgyz Republic, as the State chairing CIS, to circulate the text of the statement to the United Nations and other international organizations.

Enclosure I

Statement by the Heads of State of the States members of the Commonwealth of Independent States on the outcome of the special session of the United Nations General Assembly on the world drug problem (New York, 19-21 April 2016)

We, the Heads of State of the States members of the Commonwealth of Independent States (CIS), having adopted this statement further to the statement by the Heads of State of the States members of the Commonwealth on preserving and strengthening the international system of drug control, of 10 October 2014, express our support for the outcome of the special session of the United Nations General Assembly on the world drug problem, held at New York from 19-21 April 2016. We regard it as an important step towards the conduct by the General Assembly in 2019 of a full-scale review of progress made in the implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem. We believe that the outcome document of the special session of the General Assembly will help intensify international efforts to combat illicit drug production and trafficking and drug abuse.

We recognize the importance of preserving and strengthening the existing international system for drug control, based on the three core United Nations Conventions, under the central coordinating role of the Organization, taking into account the leadership role of its Commission on Narcotic Drugs. Appropriate measures to combat the drug danger can contribute to ensuring security and stability in the various regions of the world, cut down the financing of terrorist activity with the proceeds of illicit drug trafficking, substantively reduce corruption and organized crime and facilitate progress towards a drug-free world.

Enclosure II

Separate opinion of the Republic of Azerbaijan in relation to the decision of the Council of Heads of State of the Commonwealth of Independent States concerning the statement by the Heads of State of the States members of the Commonwealth on the outcome of the special session of the United Nations General Assembly on the world drug problem (New York, 19-21 April 2016)

With regard to paragraph 2 of the decision of the Council of Heads of State of the Commonwealth of Independent States (CIS) concerning the statement by the Heads of State of the States members of CIS on the outcome of the special session of the United Nations General Assembly on the world drug problem (New York, 19-21 April 2016):

The Republic of Azerbaijan believes that international efforts must also be directed towards combating illicit drug trafficking, in particular, in territories which are out of control as a result of armed conflicts, and considers respect for the sovereignty and territorial integrity of States to be basic principles in this context.

The President of the Republic of Azerbaijan

United Nations A/C.3/71/3

General Assembly

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13 October 2016
English
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Seventy-first session
Third Committee
Agenda item 66
Elimination of racism, racial discrimination, xenophobia and related intolerance

Letter dated 5 October 2016 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a decision by the Heads of State of the member States of the Commonwealth of Independent States (CIS) on the occasion of the seventieth anniversary of the completion of the Nuremberg Tribunal's work, signed on 16 September 2016 in Bishkek, during the summit of CIS countries (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the General Assembly, under agenda item 66.

(*Signed*) Mirgul **Moldoisaeva**
Permanent Representative of the Kyrgyz Republic
to the United Nations

16-17761 (E) 171016 191016

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Annex to the letter dated 5 October 2016 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Secretary-General

Bishkek

Decision of the Council of Heads of State of the Commonwealth of Independent States concerning the Declaration by the Heads of State of the member States of the Commonwealth on the occasion of the seventieth anniversary of the completion of the Nuremberg Tribunal's work

The Council of Heads of State of the Commonwealth of Independent States has decided:

1. To adopt the Declaration by the Heads of State of the member States of the Commonwealth of Independent States (CIS) on the occasion of the seventieth anniversary of the completion of the Nuremberg Tribunal's work (see enclosure).

2. To entrust the Kyrgyz Republic, as the State holding the CIS presidency, with circulating the aforementioned statement at the United Nations and other international organizations.

On behalf of the Kyrgyz Republic
(*Signed*)

On behalf of the Republic of Armenia
(*Signed*)

On behalf of the Republic of Azerbaijan
(*Signed*)

On behalf of the Republic of Belarus
(*Signed*)

On behalf of the Republic of Kazakhstan
(*Signed*)

On behalf of the Republic of Moldova
(*Signed*)

On behalf of the Republic of Tajikistan
(*Signed*)

On behalf of the Republic of Uzbekistan
(*Signed*)

On behalf of the Russian Federation
(*Signed*)

On behalf of Turkmenistan
–

On behalf of Ukraine
–

Enclosure

Declaration by the Heads of State of the member States of the Commonwealth of Independent States on the occasion of the seventieth anniversary of the completion of the Nuremberg Tribunal's work

We, the Heads of State of the member States of the Commonwealth of Independent States hereby adopt this statement,

Noting the importance of the historical lessons drawn from the unprecedented tragic events following the sweeping spread of the ideology of Nazism,

Bearing in mind that the victory of the anti-Hitlerite coalition in the Second World War created the conditions for an international security system designed to save future generations from war,

Acknowledging the progress made since the Second World War in international and regional cooperation, particularly within the framework of the United Nations,

Stressing the need for States to comply with United Nations Security Council resolutions concerning the maintenance of international peace and security,

Declare that:

In 2016, the world marks seventy years since the completion of the International Military Tribunal's work and the sentencing of the major Nazi criminals. The Nuremberg trial — the largest and most significant in the history of human civilization — consolidated the outcome of the Second World War and played a vital role in the progressive development of contemporary international law.

Leading members of the anti-Hitlerite coalition who had made a significant contribution to the rout of fascism participated in the Tribunal's work. For the first time in history, those responsible for causing the Second World War and deaths of tens of millions of people were sentenced for war crimes and crimes against peace and humanity, a just verdict that was endorsed by the entire international community.

The most important international legal norms in the world today are a direct legacy of Nuremberg. These continue to shape the development of sectors of international criminal law and international humanitarian law. They underpin legal instruments covering the most serious international crimes — war crimes, genocide, crimes against humanity — and determining the elements of the crime of aggression.

The Heads of State recognize that the Nuremberg Tribunal was clearly the major political and legal achievement of its era. A key factor in its success was the consensus of States at its establishment, during its work and in assessing its results.

The Heads of States emphasize that, in accordance with the experience of Nuremberg, fair international justice should be the outcome of collective efforts, be based on strict compliance with the norms of international law, be impartial and enjoy credibility among the international community.

The Heads of State note that the anniversary of the Nuremberg trial is significant in the context of countering attempts to rewrite the history of the Second World War. It is important not to allow the history of Nuremberg to be manipulated against those who liberated Europe from fascism and thereby laid the foundations for the modern system of international relations and international law.

The Heads of State call for countering such dangerous trends as the falsification and revision of history and, in effect, the negation of the Nuremberg Tribunal.

United Nations A/C.3/71/4

General Assembly

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17 October 2016
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Seventy-first session
Third Committee
Agenda item 68
Promotion and protection of human rights

Letter dated 14 October 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to convey to you information on the guarantees of electoral rights and responsibilities in Uzbekistan (see annex).

I would appreciate if you could circulate the attached information as a document of the General Assembly, under agenda item 68.

(*Signed*) Ildar **Shigabutdinov**
Chargé d'affaires a.i.

16-18009 (E) 191016 241016

Please recycle

Annex to the letter dated 14 October 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Guarantees of electoral rights and liability in Uzbekistan

Since its independence, Uzbekistan has established an electoral system that is responsive to the needs of democracy today in the context of the liberalization and modernization of every aspect of national life. A legal framework has been put in place which guarantees that citizens can freely express their will in accordance with generally recognized international norms and principles, and that every citizen has the right to vote and be elected to representative bodies of State authority. Legal mechanisms have been created to ensure openness and transparency in the electoral process. Also noteworthy is that national electoral legislation is constantly being improved.

The adoption in 2014 of the Act amending and supplementing specific articles of the Constitution of the Republic of Uzbekistan (articles 32, 78, 93, 98, 103 and 117) was the logical continuation of the democratic renewal and modernization under way in the country. On the basis of the amendments to the Constitution, the national parliament also amended and supplemented a number of laws with a view to improving them.

In particular, the Administrative Liability Code was supplemented by a new chapter VI "Administrative liability for offences related to organizing and conducting elections and referendums", which consists of eight articles.

A clear definition of liability for offences involving non-compliance with electoral legislation contributes to the fuller enjoyment of the principle of freedom of choice, promotes further democratization of the national electoral system and helps to strengthen the principles of openness and transparency.

Under the Administrative Liability Code, grounds for prosecution include violating the rights of a parliamentary or presidential candidate of the Republic of Uzbekistan, or an agent, observer or authorized representative of a political party, and violating the conditions and procedures for election campaigning and canvassing on referendum issues. Acts related to knowingly publishing false information about a candidate or political party in order to influence the outcome of an election also entail the application of administrative liability measures.

In accordance with electoral legislation, the electoral commissions, within their mandates, are independent from State agencies, civic associations, political parties and officials. Autonomy in the activities of the electoral commissions is very important in order for elections to be held based on the principles of legality and justice, with a level playing field for all participants. Non-compliance with these principles in practice could cause serious damage to the democratic nature of elections.

Interference in the work of the electoral commissions entails the imposition of administrative liability measures against the officials involved. Such an offence

occurs when an official, taking advantage of his or her official position, tries to encourage an electoral commission to take, or not to take, a particular decision.

Decisions taken within the powers of the Central Electoral Commission are binding on district and local electoral commissions, government agencies, political parties and other non-governmental organizations, enterprises, institutions and organizations. Similarly, decisions by provincial, regional and municipal electoral commissions, taken within the limits of their authority, are binding on subordinate electoral commissions and on all government agencies, political parties and other civic associations, and on labour collectives and military units, heads of enterprises, institutions and organizations.

Officials who fail to comply with the decisions of electoral commissions, when taken within the limits of their authority, are subject to administrative liability. Here, attention is drawn to the fact that administrative liability arises as a result of non-compliance with decisions of electoral commissions that have been taken within the scope of their authority, and with decisions related to the organization of elections.

Pursuant to article 513 of the Administrative Liability Code, officials shall also be prosecuted for unlawful refusal to consider requests from electoral commissions and for non-compliance with the time limits without good reason.

National legislation also provides administrative liability for violating the rights of a parliamentary or presidential candidate of the Republic of Uzbekistan, or an agent, observer or authorized representative of a political party specifically involved in the electoral process.

A failure to establish equal conditions when providing facilities for meetings with voters is also considered a violation of the rights of a registered candidate, agent, observer or authorized representative of a political party. This is the basis on which the aforementioned measures of administrative liability are applied.

Election campaigning which involves providing voters with goods or services (except information) free of charge or on preferential terms, or with cash payments, is strictly prohibited. This requirement is based on universally recognized international standards for democratic elections and is reflected in national electoral legislation. In particular, this norm is contained in article 28 of the Presidential Elections Act.

It is also prohibited to publish or otherwise knowingly distribute false information about a parliamentary or presidential candidate of the Republic of Uzbekistan, or about a political party, in order to influence the outcome of the elections. Such cases distract voters and impede the full expression of their will by depriving them of the right to receive reliable information.

The deliberate destruction or damage of information and campaign materials is considered a form of unhealthy competition. These actions target not only a specific parliamentary or presidential candidate of the Republic of Uzbekistan, or political party, but also impede the free exercise by citizens of their electoral rights. Destroying or damaging campaign materials by recording over them, drawing or painting on them, or making distracting and misleading corrections to their texts therefore results in administrative liability.

On 7 October 2016, in order to prevent offences in the organization and conduct of elections, the Central Electoral Commission approved best practices for processing administrative procedures involving offences in the organization and conduct of elections and referendums. Accordingly, where administrative offences are identified, a report may be compiled by members of the Central Electoral Commission and members of the respective district electoral commissions. The report shall be based on statements by observers from political parties participating in the elections; authorized representatives and agents of candidates; requests from local electoral commissions; statements by citizens; and information from enterprises, institutions, organizations, civic associations, officials and the media.

If offences are committed by members of an electoral commission, the report shall be compiled by members of a higher electoral commission. The report, together with other documents and material evidence in the case, shall be submitted by its author to the district (municipal) criminal court within 24 hours from the time the offence was committed or identified.

It should be noted that the right to vote and stand for election is one of the most important political rights of citizens. This is also protected by criminal legislation. Individuals who obstruct, by violence, deception, threats or otherwise, the exercise by citizens of the right to vote, to stand for election or to conduct an electoral campaign are held liable under the law, as are members of electoral commissions and other officials and representatives of political parties who have forged electoral documents, deliberately counted votes incorrectly, violated the secrecy of the ballot or committed other violations of electoral legislation.

Criminal liability for electoral offences is defined in articles 146 and 147 of the Criminal Code of the Republic of Uzbekistan. Accordingly, violating laws on the organization and conduct of elections or referendums, obstructing the enjoyment of electoral rights or impeding the authority of official agents are acts that entail criminal liability. In addition, criminal liability arises from the commission of acts such as obstructing by violence, threats, deceit or bribery, the free exercise by citizens of the right to vote or stand for election; or obstructing official agents of parliamentary or presidential candidates of the Republic of Uzbekistan from exercising their powers.

It should be emphasized that many developed countries have established criminal liability for electoral offences. Their legislation criminalizes acts such as obstructing the holding of elections by violence or threats, the forgery of electoral documents, violating the secrecy of the ballot and obstructing the exercise of electoral rights. Analysis shows that the standards governing criminal liability for electoral offences in Uzbekistan are based on universally recognized norms of international law and are similar to the legislative provisions of developed democratic States.

Establishing liability for electoral offences therefore contributes to the fuller enjoyment of the principle of freedom of choice, promotes further democratization of the national electoral system and helps to strengthen the principles of openness and transparency.

United Nations A/C.3/71/5

General Assembly

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Seventy-first session

Third Committee

Agenda items 68 (b) and (c)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Letter dated 19 October 2016 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a memorandum on the promotion and protection of human rights in the Republic of the Union of Myanmar (see annex).*

I should be most grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda items 68 (b) and (c).

(*Signed*) Hau Do **Suan**
Ambassador
Permanent Representative

* The annex is being circulated in the language of submission only.

16-18273 (E) 241016

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Annex to the letter dated 19 October 2016 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

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Memorandum on the promotion and protection of human rights in Myanmar

19 October 2016

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I. Introduction

1. Myanmar has been moving forward on its path of democratic transition. On 8 November 2015, multi-party general elections were peacefully and successfully held throughout the country. The general election held in November 2015 was a historic turning point in the history of Myanmar. Today, we have a new civilian government elected by the overwhelming majority of the people. The government is mandated by the people of Myanmar to reclaim their dignity, peace and prosperity among the nations in the global community.

2. The State Counsellor Daw Aung San Suu Kyi in her statement at the General Debate of the 71st UNGA reflected on the openly contested election that "Now, once again, it is a time of determined hope for Myanmar. When our people cast the overwhelming majority of their votes in favour of the National League for Democracy during the elections last November, they were demonstrating their support not just for a political party but for a political culture founded on a belief in their rights, and their capacity, to fashion the future of their country in the shape of their dreams and aspirations."

3. On 30 March 2016, the new government assumed the State responsibility. Soon after assuming power, the Government initiated the 100-days Plan for all the government ministries to deliver quick and visible benefits to the lives of the people. To this light, the remaining political prisoners have been released. Political activists and students facing political charges have their sentences lifted and acquitted. Necessary measures are being taken for people to freely exercise their fundamental rights.

4. On the international front, the Government of Myanmar continues to pursue an independent and active foreign policy and maintains friendly relations with all countries. It has strengthened external relations and continues its active participation in the regional and international organizations including the United Nations.

5. As a young democratic nation, Myanmar has been moving steadily on the long and challenging path towards full democratization.

6. This memorandum is aimed at presenting the current status of Myanmar with regard to strengthening human rights and democratic practices.

II. Peace and national reconciliation

7. For a country that has experienced over six decades of internal armed conflict, nothing is more important than the achievement of lasting peace and national reconciliation. It is a difficult and complex task that the new government of Myanmar is taking on as a major challenge and a high priority. Peace is essential for development and sustaining democracy. After intense negotiations with all the stake

holders, the first session of the Union Peace Conference, also known as the 21st Century Panglong, was successfully held on 31 August 2016. The Conference was attended by representatives of the Government, the Parliament, the Armed Forces, ethnic armed groups, political parties and civil society organizations. The Union Peace Conference is based on the principle of inclusiveness and embodies the spirit of the Union. The Conference is not an end in itself. It is the first vital step on our journey to national reconciliation and lasting peace that will save succeeding generations from the scourge of fraternal strife, which has brought untold sorrow to our peoples.

8. At the end of the five-successive-day conference, a political framework was finally adopted. This is the first milestone of the new government to speed up the implementation process for permanent peace in Myanmar.

III. Human rights situation in Myanmar

(a) Release of political prisoners

9. Soon after the new government took office, political prisoners, activists and detained students were released from respective prisons under the presidential pardons. The President granted amnesties to 138 political prisoners on 8 April and the remaining 83 on 17 April.

10. Since very early days of the new administration, activists, media people, entrepreneurs and academicians living abroad have returned home. They are now working hand in hand with the Government for a common goal of building a peaceful and prosperous nation.

(b) Freedom of expression

11. Like any country in the world, Myanmar too has challenges of her own in the field of human rights. Nonetheless, the level of freedom and rights guaranteed in the country is much the same with that of the many countries in the region and beyond. Freedom of expression and freedom of media is one of the most visible areas of improvement in promotion and protection of human rights in Myanmar. Since August 2012, all publications have been exempted from pre-publishing censorship. Publication of private daily newspapers has mushroomed since April 2013. Currently, there are at least fourteen private dailies in the country. In addition, nineteen foreign news agencies have opened their offices in Myanmar.

12. In Myanmar, people are now increasingly using social media. No restriction is imposed on the use of internet and social media. The challenges facing today's media in Myanmar include awareness of accountability, striking a balance between rights and responsibilities, media ethical reporting and professionalism. The Government, in cooperation with international organizations, is conducting programmes, trainings and dialogues to raise awareness of media ethics.

(c) Freedom of peaceful assembly and peaceful procession

13. Early waves of reform in Myanmar led to the adoption of Peaceful Gathering and Procession Law which entered into force in July 2012. Since then, people have

been able to organize peaceful demonstrations and exercise their rights to freedom of peaceful assembly. With an aim of granting greater freedom, a newly drafted Peaceful Assembly and Peaceful Procession Law was enacted on 4 October 2016.

14. The Myanmar police force now facilitates protests and demonstrations to ensure public peace and security. The European Union and the Office of the United Nations High Commissioner for Human Rights have conducted training courses and workshops to enhance the capacity and raise awareness of the police force on relevant laws and crowd control in line with international best practices.

15. Despite some remaining challenges, Myanmar is optimistic that the balance between rights and responsibilities will be maintained as people are getting more familiar with exercising their rights in the correct manner.

(d) Freedom of association

16. Myanmar is a community with strong civil society organizations. Deeply-rooted traditional mindset of helping, sharing and caring each other makes our society a resilient one today. Against this backdrop, Myanmar acknowledges and encourages the role of civil society and non-governmental organizations in providing assistance for the development within the country. The Law on the Registration of Organizations which requires only voluntary registration was enacted in 2014. To date, over 750 NGOs and CSOs are functioning across the country along with the 120 INGOs.

17. In Myanmar, a total of 1886 employer and labour organizations have been systematically and independently formed under the Labour Organization Law 2011. The Freedom of Association and Social Dialogue project is being implemented in cooperation with ILO to facilitate the right to freedom of association.

(e) Freedom of religion

18. Myanmar is a multi-ethnic and multi-religious country, with a long history of different faiths being in harmony for centuries. Freedom of religion in Myanmar is guaranteed both in law and in practice. Although Buddhism is the faith professed by the great majority, it is not prescribed as the state religion of Myanmar. According to the 2014 nation-wide census, out of the total population of 51 million, 87.9 percent are Buddhists, 6.2 per cent Christians, 4.3 percent Muslims and 0.5 profess Hinduism. Prevalence of different religious buildings across the country is a testimony to Myanmar's religious harmony. For every 740 Buddhists, 450 Christians, 680 Muslims and 460 Hindus, there is one monastery, one church, one mosque and one temple across the country.

19. To promote the culture of peaceful co-existence, interfaith friendship groups have been set up in Myanmar on a nationwide scale, comprising representatives from all faiths. There are all together 122 interfaith groups throughout all states, regions, districts and townships. These groups hold regular monthly meetings and convey messages of peace and harmony to the public. They also paid religious site visits and provide assistance to the needy as necessary.

20. As the religion of the overwhelming majority of Myanmar, the Buddhist order always plays a crucial role in promoting religious tolerance and peaceful

co-existence among different faiths. The World Buddhist Peace Conference was held in Sagaing, Myanmar, in January 2016. Participants from 51 countries took part in the Conference. A declaration was adopted at the Conference and it supports the moderate way, deplores extremism, opposes misuse of the name of religions, reaffirms the freedom of religion and encourages the public to stay vigilant on traditional and social media reports which may amount to hate speeches.

21. During his visit to Myanmar in August, the UN Secretary-General Mr. Ban Ki-Moon met with religious leaders. They discussed about the importance of peaceful co-existence and harmony based on forgiveness and patience for peace and stability of the country. They also acknowledge the need to encourage younger generation to observe faithfully to their religion.

(f) Promotion and protection of vulnerable groups

Older persons

22. In Myanmar, caring one's elderly parents is one of the most valued traditions of the country. In October every year, the International Day of Older Persons is observed at the national, state and regional levels. In 2014, Myanmar Federation of Persons with Disabilities was established in order to promote the leadership quality and disability inclusion for the persons with disabilities.

23. A plan of action for older persons was adopted in June 2014 in order to protect older persons and promote their well-being. The negotiating process to draft a law relating to enhancing the welfare of older persons is ongoing. The draft bill was published in State-owned newspapers in June 2016 for public opinions. In July, the Bill Committee of Amyotha Hluttaw (Upper House) has begun discussing the Bill for Aging Persons.

Persons with disabilities

24. Promoting and protecting the rights of persons with disabilities is also one of the priorities of Myanmar. According to the census taken in Myanmar in 2014, 4.6 per cent of the total population, which is 2.3 million were persons with disabilities. In order for the persons with disabilities to enjoy their full rights, Myanmar acceded to the Convention on the Rights of Persons with Disabilities on 7 December 2011. Myanmar enacted the Right of Persons with Disabilities Law on 5 June 2015, after rounds of consultations with persons with disabilities.

25. Myanmar National Strategy for the Development of Persons with Disabilities (2016-2025) was adopted recently in 2016. The strategy includes seven priority areas for policy development i.e: prevention, protection, habilitation and rehabilitation, sector development, capacity building, cooperation and sharing information. The strategy will be implemented through short term and long term projects.

26. Myanmar has conducted situation analysis on Children with Disabilities and its report will be launched soon. At present, Myanmar is developing Early Childhood Intervention Strategic Plans, Action Plans, Guidelines and Procedures which will serve as national mechanism. We are now planning to conduct an ECI pilot project in 2017, aiming to cover the whole nation by 2018-2020.

Women's rights

27. Since the days of Myanmar monarchs, the status of Myanmar women has always been high. Women are highly respected in our society. In Myanmar tradition, mothers also make important decisions for the family. There have been historical records in support of the fact that Myanmar women enjoy equal rights as men. Today, Myanmar has a growing number of women holding important positions at the executive, legislative and political sectors.

28. Once it became a state party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in July 1997, Myanmar has taken a series of steps in line with the Convention. Institutions have been put into place to oversee the issue of women. A 10-year national strategic plan for the advancement of women (2013-2023) is under implementation.

29. In July 2016, Myanmar delegation participated in the 64th Meeting of UNCEDAW Committee in Geneva to review the combined fourth and fifth periodic national report of Myanmar. Upon completion of the review process, Myanmar received a total of 56 concluding observations by the CEDAW Committee. Myanmar is in the process of organizing a working group composed of officials from relevant ministries in order to provide written information on the implementation process of the recommendations within two-year timeframe.

30. Myanmar believes that sexual violence in conflict is a crime that constitutes blight on the soul of humanity. With this conviction, Myanmar signed the Declaration of Commitment to end Sexual Violence in Conflict on 5 June 2014. In addition, a domestic law on Anti-violence against Women is in the final drafting stage, which will be in line with the fundamental rights of the citizen enshrined in the State Constitution of Myanmar, as well as norms and standards laid down in CEDAW.

31. The Nationwide Ceasefire Agreement signed between the Government and ethnic armed groups also protects women from any form of sexual violence against women. Severe legal action is taken against civilian or military perpetrators, whereas surveys and research projects are being conducted to develop a reliable database for more effective measures against sexual violence. Individuals in the military committing sexual violence and offences are being dealt with respective laws carrying harsh sentences including life imprisonment and death penalty in some cases.

Child rights

32. Myanmar acceded to the Convention on the Rights of the Child in 1991. The provisions of the Convention are incorporated into the Child Law, enacted in 1993. Myanmar acceded to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 16 January 2012. After thorough consultations among the relevant ministries, Myanmar signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 28 September 2015, on the sidelines of the UN General Assembly at its seventieth session.

33. Currently, in preparation of the ratification to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, a review on the Child Law is being conducted, with wide participation of civil society organizations and the United Nations Children's Fund. Discussions are underway including a chapter in the draft law to protect children in situations of armed conflict.

34. Myanmar signed a joint action plan with the United Nations on 12 June 2012 to further accelerate its efforts in preventing underage recruitment into the military. The United Nations Country Task Force on Monitoring and Reporting (CTFMR) made visits to recruitment centres, training schools and regional commands. With the joint effort between Tatmadaw (military) and CTFMR, the Tatmadaw has discharged 810 underage recruits since the signing of the Action Plan. A total of 81 officers and 402 persons of other ranks were held accountable for underage recruitments and action had been taken against them.

35. At the invitation of the Government, Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Leila Zerrougui, visited Myanmar from 12 to 16 July 2015. The visit was instrumental in closing the gaps leading to zero-underage-recruitment endeavours jointly implemented by the Government and the United Nations Country Task Force. In view of these developments, it is hoped that *Tatmadaw Kyi* will be delisted from the Secretary-General's annual report on children and armed conflict in near future.

36. The Minister of State for Foreign Affairs U. Kyaw Tin met with Ms. Leila Zerrougui in September 2016 in New York and exchanged views on the progress of the Action Plan and delisting of *Tatmadaw Kyi* from the Secretary-General's report.

IV. Human trafficking

37. Myanmar views trafficking in persons as a grave crime endangering the humankind. Accordingly, Myanmar has been seriously addressing the issue through a comprehensive framework that includes, domestic legislation, a National Plan of Action, high-level commitment, bilateral, regional and multilateral cooperation.

38. To effectively combat human trafficking, Myanmar formed the Central Committee of Combating Human Trafficking under the supervision of the Ministry of Home Affairs in 2006. Accordingly, Region/ State/ District/ Township Level Committees on Anti-Trafficking in Persons were also formed. In addition, community based watch groups were formed since 2011 as grass root bodies.

39. Anti-Trafficking Task Force (ATTF), under Myanmar Police Force has been deployed all across the country including hotspot border areas to suppress traffickers.

40. Moreover, Myanmar has been implementing its second Five-year National Plan of Action (2012-2016). Yearly work plans are developed in implementing the National Plan of Action. The work plan 2016 covers five areas such as policy and cooperation; prevention; prosecution; protection; and capacity building.

41. Myanmar has been addressing the Trafficking in Persons (TIP) issue as a national priority and making substantial progress in various aspects. Myanmar is

working assiduously to alleviate poverty which is one of the root causes of human trafficking. The government is stepping up its efforts to protect victims of human trafficking. In addition, bilateral cooperation with neighbouring countries, particularly on the protection of trafficked victims, is progressing well. A sound legal framework in line with international standards is in place and enforcement capabilities have been reinforced.

42. Myanmar will continue to step up its efforts on anti-trafficking measures seriously taking into account recommendations made in the 2016 TIP Report. The issue of human smuggling and human trafficking will be addressed vigorously in close cooperation with neighbours, regional and international partners.

V. Renouncement of acquired lands and handover to rightful owners

43. As 70 percent of the total population still works in agriculture, Myanmar considers that governance of land is crucially important. As part of democratization process, Myanmar government has introduced certain measures to address disputes caused by land grabbing. Following policy reforms regarding land acquisition and distribution rights in 2012, a commission was established by the government under the auspice of the Farmers' Affairs Committee. Their role is to monitor farmland ownership disputes. In 2012, the Vacant, Fallow and Virgin Lands Management Law (VFW Law) and the Farmland Law were enacted. These laws are aimed at managing the use and distribution of farmland. The Farmland Law established the Farm Management Bodies (FMB), which replicated at state and local levels, thus replacing community bodies. FMBs are responsible for guidance and control on key land issues, ranging from disputes and transfer of rights to land registration.

44. Myanmar's legislative body, Pyidaungsu Hluttaw (Union Parliament) is also discussing on publishing detailed information relating to returned land; empowering newly elected local governments to resolve land disputes; allowing paralegals to represent farmers in front of the relevant government bodies and ensuring that compensation is truly aligned with best international practice.

45. An equitable resolution to the land grab problem will not only provide its victims with justice but will also contribute for political stability. It will also provide international investors with confidence that their ventures into agriculture, tourism and other areas are not built on theft and destined to be challenged in the courts one day.

46. The Land Use Scrutinizing Committee is composed of 25 members and is led by the Union Minister for Environmental Conservation and Forestry. It was formed to effectively execute the Land Use Policy in Rural-Urban Development Plans and Investment Plans. With the cooperation of representatives from respective departments and organizations, and experts from local and international community including USAID, the Committee set up a framework and an action plan to develop the National Land Use Policy. In addition, the Committee is drafting a National Land Resources Law. As of 27 June 2016, a total of 381,664.557 acres have been handed over to rightful owners.

VI. Universal periodic review process

47. Myanmar is of the view that the Universal Periodic Review (UPR) is the most dependable mechanism to address all situations of human rights on an equal footing. A large member Myanmar delegation from various ministries and agencies took part in its second cycle UPR process held at 23rd Session of the UPR Working Group in Geneva on 6 November 2015. At the second cycle of its review, Myanmar received a total of 281 recommendations from 93 member states. Myanmar accepted 124 recommendations but rejected 69 which were considered irrelevant and not constructive. Myanmar delegation also made its final comments in connection with the remaining 88 recommendations during the adoption of Myanmar UPR outcome at 31st Session of the Human Rights Council held in March 2016. After close review on the recommendations, Myanmar accepted a total of 166 recommendations and plans are underway to implement them.

VII. Ratification to international core human rights treaties

48. One of the priorities of the Government in terms of raising its international profile is reviewing its status of participation in international conventions, including the human rights instruments. This resulted in Myanmar's accession to the Convention on the Rights of Persons with Disabilities in December 2011 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in January 2012. Myanmar also signed the International Covenant on Economic, Social and Cultural Rights on 16 July 2015 and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 28 September 2015.

49. Myanmar is intensively studying the remaining core human rights treaties while it is not yet a party. To have in-depth study on these treaties, Myanmar jointly organized a workshop with the Government of Australia on Optional Protocol to the CRC on the involvement of children and armed conflict, in Nay Pyi Taw last March. In addition, a workshop on Convention against Torture was jointly organized between Myanmar and the Johns Hopkins University in Nay Pyi Taw on 1-2 June 2016.

50. Myanmar, with the support from the Office of the High Commissioner for Human Rights, a workshop on International Covenant on Economic, Social and Cultural Rights (ICESCR) was held in Nay Pyi Taw on 21-22 July 2016.

51. At present, Myanmar has been going through domestic legislative procedures to become a state party to the ICESCR and Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Myanmar will continue to work actively to complete the process. In addition, preliminary reviews and studies have been conducted to sign and ratify the Convention against Torture and other cruel, inhumane or degrading treatment (CAT).

VIII. Bilateral human rights dialogues

52. Since 2012, Myanmar has been engaging in bilateral human rights dialogues with Japan, United States of America and European Union. Such engagements are the best venues to exchange views, discuss challenges and learn national best practices between the dialogue partners.

IX. Cooperation with the United Nations

53. Myanmar maintains in close cooperation with the United Nations. At the invitation of Myanmar Government, Mr. Ban Ki-moon, Secretary-General of the United Nations visited Myanmar on 30-31 August 2016 to witness the opening of the 21st Century Panglong Conference in Nay Pyi Taw. The Secretary-General delivered a statement, congratulated the peace process, and reaffirmed that the United Nations will continue to support the process. He also said that the United Nations has consistently backed Myanmar's journey towards democracy and human rights. During the visit, he met with President U Htin Kyaw, Speakers of both Lower and Upper House of Parliament, and Senior General Min Aung Hlaing, Commander-in-Chief of the Myanmar Armed Forces. It was his fifth visit to Myanmar.

54. Special Advisor to the Secretary-General of the United Nations Mr. Vijay Nambiar also performed numerous visits to Myanmar since assumption of his mandate in 2007.

55. Since the establishment of her mandate by the Human Rights Council, Ms. Yanghee Lee, Special Rapporteur on the situation of human rights in Myanmar has conducted a total of four missions to Myanmar at the invitation of the Government. The last mission of the Special Rapporteur, her first official visit to Myanmar since last year's general elections, took place in June 2016. During her 12-day trip, Ms. Yanghee Lee visited Kachin, Rakhine and Shan States apart from Nay Pyi Taw and Yangon. She was able to meet with a broad range of interlocutors to successfully carry out her mandate.

56. Apart from these visits, Special Representative of Secretary-General on Children and Armed Conflict, Ms. Leila Zerrougui visited Myanmar in July 2015. These visits reflect Myanmar's genuine political will and spirit of cooperation with the United Nations. Other senior UN officials also visited Myanmar during the period of new government.

57. Cooperation with the United Nations is one of the cornerstones of Myanmar's foreign policy. It will be further strengthened in the new era. The recent visit to New York of the State Counsellor Daw Aung San Suu Kyi in her capacity as the first Head of the Government of Myanmar to participate in the general debate of the General Assembly, is an ample demonstration of the importance Myanmar attaches to its cooperation with the United Nations.

X. Developments in Rakhine State

58. The new Government is committed to a sustainable solution that will lead to peace, stability and development for all communities within the Rakhine State. The Government is taking a holistic approach that makes development central to both short and long term programmes aimed at promoting understanding and trust. The Central Committee for the Implementation of Peace, Stability and Development in Rakhine State was established soon after the new Government took office. The Committee is chaired by State Counsellor Daw Aung San Suu Kyi and undertaking the tasks of establishing security, peace and stability and rule of law; scrutinizing immigration and citizenship; facilitating settlements and implementing socio-economic development; and coordinating and cooperating with the UN Agencies and international organizations for providing humanitarian assistance.

59. In addition to these efforts, the Government has established in September the Advisory Commission on Rakhine State headed by former UN Secretary-General Mr. Kofi Annan. The Commission includes 6 nationals and 3 international experts who are highly respected eminent persons. The Commission will consider humanitarian and development issues, access to basic services, assurance of basic rights, and security of the people of Rakhine. After extensive consultations with all stakeholders, the Commission will submit its findings and recommendations to Myanmar Government within twelve months of its establishment. Myanmar has high hopes on its report which will include lasting solutions to resolve the delicate, complex and protracted issues in the Rakhine State. At the same time, the government will be utilizing more than 70 billion Kyats from its budget for the development of Rakhine State.

60. As peace and stability is prerequisite for Myanmar and its people living in Rakhine State, Union and State Governments are striving to maintain peace and harmony within the two communities. Since underdevelopment is a root cause of the 2012 inter-communal violence, the Myanmar Government has initiated a number of development projects namely Ponnakyun Industrial Zone, Yathaetaung Agricultural and Livestock Zone, Comprehensive Kalantan River Transportation Project, Ancient Mrauk U Cultural Zone and Hotel Zone Projects. Over 20,000 displaced persons have been resettled

61. In order to find durable solutions, national verification process is the first step that cannot be omitted. On 7 June 2016, national verification process was launched at 3 townships in Rakhine State namely, Myaepon, Ponnakyun and Kyaukphyu. By 4 August, 5776 certificates have been issued. New temporary identity cards are being issued to those who have completed the verification process. The project will be extended to the rest of the State. Therefore, constructive cooperation is needed from the local community and religious leaders within the State to carry out the process successfully and speedily.

62. Freedom of movement is facilitated despite security constraint. Even those without any citizenship identity documents are allowed to travel by temporary travel certificates with minimal administrative requirements.

63. Accesses to basic services including education and health sectors have been improved. For example, 1,841 students from various temporary shelters sat for

matriculation examination for academic year 2015-2016. Over 40 muslim students are now taking undergraduate courses in Taung Koke College and Sittwe University. One outstanding student is now studying at Magway Medical University. In addition to 6 clinics at the shelters, 32 mobile medical teams are providing services. Arrangements are in place for any emergency medical referrals to reach Sittwe General Hospital within hours from any part of Rakhine State. Referral of serious cases to Yangon is also facilitated.

64. An early warning mechanism is being planned in Rakhine State to deter the recurrence of inter-communal violence in the future.

65. Myanmar is aware of the concern of the international community on the Rakhine situation particularly better living standard, freedom of movement, adequate education and health care, resettlement and livelihoods of the people residing at the camps. We are committed to take all possible measures to address these concerns. At the same time, Myanmar is grateful for the support of the United Nations and the international community on the development programme in the Rakhine State. However, the deep-rooted problem cannot be solved overnight. Myanmar needs understanding and continued support from the international community to find viable solutions to the matter.

XI. Recent violent armed attacks in Rakhine State

66. On October 9, 2016, some groups of unidentified people attacked three police outposts in Maungdaw, Rakhine State in Western Myanmar. The incident caused 9 police personnel dead, 5 critically injured and one still missing. The attackers took away 51 assorted arms and more than 1000 rounds of ammunitions from the outposts. 13 security personnel have lost their lives during the initial attack and in the subsequent counter operations. Some local people were reportedly killed as a result of armed engagement with the security forces during counter-operation.

67. The incident was not a sectarian or religious problem between the two communities in the areas. It was an armed attack against security forces maintaining peace and enforcing rule of law in the region. It was a systematically planned and well organized violent armed attack.

68. The investigation has been launched to ascertain the identity of the attackers. The initial interrogations have revealed that the attacks in Maungdaw were carried out by the Aqa Mul Mujahidin, an organization linked to the Rohingya Solidarity Organization-RSO armed group. The organization is led by Havistoohar, a religious and social extremist of Kyaukpyinseik village in Maungdaw Township. He had attended a six-month Taliban training course in Pakistan, and received funding from some organizations based in the Middle East. The Government will deal the matter strictly in accordance with the law. The security forces are handling the issue with maximum restraint.

69. The Government of Myanmar rejects violent extremism and terrorism in all its forms and manifestations.

XII. Conclusion

70. The democratic government led by President U Htin Kyaw and State Counsellor Daw Aung San Suu Kyi took office on 30 March 2016 following the General Elections in November 2015. Since then, the government has been implementing the priorities that are mandated by the people.

71. Despite numerous challenges, visible progress have been made within a short span of time. These sincere and tireless efforts of the government have resulted in positive responses by the international community. One such constructive response is the decision of the European Union to halt the tabling of its annual resolution on the situation of human rights in Myanmar at the current United Nations General Assembly.

72. The United States of America has also decided to lift its remaining sanctions on Myanmar, which include restoring of Generalized System of Preferences (GSP) status, soon after the visit of the State Counsellor to the United States in September 2016.

73. The State Counsellor on various occasions expressed her view on engagement and cooperative approach to human rights issues and the need for the international community to understand the situation on the ground in Myanmar, and give the country a reasonable space to overcome the remaining challenges.

74. Myanmar has opened a new chapter. While reconfirming its consistent policy against selective tabling of a country-specific resolution on human rights situation, Myanmar expects in good faith, understanding and constructive criticisms from the international community. It is now time for the international community to do their part by assisting Myanmar in its endeavour to fulfil the long-held dreams of freedom from fear and wants.

75. Along the similar vein, Myanmar remains fully committed in its effort to promote human rights, peace, democracy and socio-economic development of the people.